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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,996	01/16/2004	Frederick Diggle	BS030555	8681
7590	11/18/2005		EXAMINER KING, ANITA M	
Scott P. Zimmerman P.O. Box 3822 Cary, NC 27519			ART UNIT 3632	PAPER NUMBER
DATE MAILED: 11/18/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/759,996

Applicant(s)

DIGGLE ET AL.

Examiner

Anita M. King

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14-16, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 and 14-16 is/are allowed.
- 6) ☒ Claim(s) 18 and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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This is the third office action for application number 10/759,996, Communication Cable Support, filed on January 16, 2004.

Response to Amendment

The indicated allowability of claim 18 is withdrawn in view of the newly discovered reference(s) to Murray. Rejections based on the newly cited reference(s) follow.

Cancellation of Claims

Claims 13, 17, and 20 have been canceled per applicant's request.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 852,285 to Murray in view of U.S. Patent 2,630,610 to Lock and in further view of U.S. Patent 4,446,818 to Rigterink. Murray discloses an apparatus dangling from a means for supporting the apparatus, the apparatus further comprising a generally hook-shaped saddle (6), the saddle comprising a crown (5), a stem downwardly extending from the crown, a generally semi-circular section (11) outwardly extending from the stem and forming the saddle, a second generally hook-shaped saddle downwardly extending from the crown, the crown having an opening for sliding onto a link of a chain.

Murray discloses the claimed invention except for the limitation of a chain and the crown having an open-ended slot. Lock teaches an apparatus having a chain (26) adapted to be dangled from a means for supporting the apparatus, a generally hook-shaped saddle comprising a crown (10), a stem (12) downwardly extending from the saddle, the crown including an open-ended slot (21) for sliding onto a link of the chain, and wherein the crown can be positioned along the chain, thus varying the height of the saddle along the chain. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the crown in Murray to have included the crown as taught by Lock for the purpose of providing a means for adjusting the distance between the saddle of the apparatus and the means for supporting the apparatus.

Murray combined with Lock disclose the claimed invention except for the limitation of a notch. Rigterink teaches an apparatus including a generally hook-shaped saddle (25) having a stem and a generally semi-circular section, the saddle having openings (46-48) for receiving a means for suspending the apparatus, and a notch (31-33) extending inwardly from an outer edge of the saddle. It would have been obvious to one having ordinary skill in the art to have modified the apparatus in Murray combined with Lock to have included the notch as taught by Rigterink for the purpose of providing a means for engaging the object to be suspended from the apparatus to prevent unwanted movement of the object during use of the apparatus.

Allowable Subject Matter

Claims 1-12 and 14-16 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the primary reasons for the indication of allowable subject matter in the above mentioned claims are the limitations of the crown including an open-ended slot and a chain hook outwardly extending from the crown, included in independent claim 1 and in combination with the other elements recited in the claim and the crown including an open-ended slot and a downwardly extending skirt, included in independent claim 14 and in combination with the other elements recited in the claim, these combinations of elements are not found in the prior art of record.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 927,483 to Bradley

U.S. Patent 1,447,636 to White

U.S. Patent 1,721,338 to Gagnon

U.S. Patent 3,091,492 to Young


U.S. Patent 6,302,365 to Catanzarite et al.

The above patents each disclose an apparatus for suspending objects.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (571) 272-6817. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anita M. King
Primary Examiner
Art Unit 3632

November 14, 2005